



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JP

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/825,141	03/28/97	BAKER	J 06998/028001

DAVID L FEIGENBAUM
FISH AND RICHARDSON
225 FRANKLIN STREET
BOSTON MA 02110-2804

LM01/0204

EXAMINER

OPSASNICK, M

ART UNIT

PAPER NUMBER

2741

8

DATE MAILED: 02/04/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/825,141

Applicant(s)
Baker et al

Examiner
Michael N. Opsasnick

Group Art Unit
2741



☒ Responsive to communication(s) filed on Nov 3, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-14 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1-6 is/are allowed.

☒ Claim(s) 7-14 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2741

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-6 are allowed over the prior art of record..
2. The following is an examiner's statement of reasons for allowance:

As per claims 1, the recited claim limitation "receiving a spelling of the word, receiving an utterance of the word", "comparing the spelling to a rules list of letter strings with associated phonemes", "limiting the collection of possible phonetic pronunciation containing phonemes associated with the letter string of length greater than one" and "adding the word to the speech recognition vocabulary using the spelling and the best matching pronunciation" is not taught by the prior art of record. The prior art of record teaches the concept of writing subsyllable spellings to describe them (Hutchins, col. 24 line 50 - col. 27 line 16), however, Hutchins does not describe or suggest adding a word using a spelling and an utterance of the word. Brown et al (5293451) teaches the concept of using a weighted average of matching acoustic utterances and matching spellings of the word (Brown et al, 5293451, col. 2 line 10-35), however Brown et al (5293451) does not teach the use of "limiting the collection of possible phonetic pronunciations containing the phonemes associated with the letter string of length greater than one" Examiner notes that

Art Unit: 2741

Brown et al performs limiting the phonetic pronunciation set, but just to a letter string of one, i.e., one letter at a time.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Examiner notes applicant arguments regarding the incorporation by reference located on page 7 of the specification. Examiner agrees with applicants arguments that the reference is non-essential matter.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2741

5. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Brown et al (5293451).

As per claim 7, Brown et al (5293451) teaches:

“receiving a spelling of the word” as receiving spelling of the word (col. 2 lines 12-13)

“receiving an utterance of the word” receiving word utterance (col. 1 lines 45-47)

“creating a net of possible phonetic pronunciations of the word by comparing the spelling to a riles list of letter strings with associated phonemes” as using match calculator to calculate the closeness of a match between word models and the spelling of the word (col. 12, lines 56-59)

“using speech recognition to find a best matching pronunciation from the collection that best matches the utterance of the word” as calculating match between word models and the utterance (col. 12 lines 50-56)

“adding the word to the speech recognition vocabulary using the spelling and the best matching pronunciation” as updating the model of the word if there is an improvement in the match score compared to the score of the previously modeled word (col. 13 lines 42-50).

Art Unit: 2741

6. Claims 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Hutchins (5208897).

As per claim 8, Hutchins (5208897) teaches:

“matching first two letters...to classified words...matching phonemes....to phoneme of classified words...placing the word in the class list” as matching phonemes of the subsyllables (col. 10 lines 18-44), generating syllables from the spelled based subsyllables (col. 11 line 2 - col. line 13), and generating words according to the syllables (col. 11 lines 32-42);

As per claim 9, Hutchins (5208897) teaches:

“matching phonemes....classified words” as syllable to word mapping (col. 11 lines 26-42);

As per claims 10,14, Hutchins (5208897) teaches:

“performing a direct look up...matching the first phoneme...selecting the first word in the database..matching the first phoneme of the word...placing the word in the class list” as looking up spellings for converting subwords to words (col. 15 lines 6-25);

As per claim 11, Hutchins (5208897) teaches:

Art Unit: 2741

“matching the first phoneme of the word...same first four phonemes” as looking up spellings for converting subwords to words (col. 15 lines 6-25; Examiner notes that Hutchinson teaches the concept of matching the phonemes until a match has been made));

As per claim 12, Hutchins (5208897) teaches:

“selecting first word in the database having the same first four phonemes” as looking up spellings for converting subwords to words (col. 15 lines 6-25; Examiner notes that Hutchinson teaches the concept of matching the phonemes until a match has been made));

As per claim 13, Hutchins (5208897) teaches:

“matching the first four phoneme of the word...classified words in the sub-list” as looking up spellings for converting subwords to words (col. 15 lines 6-25; Examiner notes that Hutchinson teaches the concept of matching the phonemes until a match has been made));

Response to Arguments

7. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Art Unit: 2741

8. Applicant's arguments with respect to claim 7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bahl et al (4718094)

Gould et al (5850627)

Roberts et al (5027406)

Roberts (5765132)

Gould (5794189)

Bennett et al (5815639) teaches class sublistings

Sanada et al (5329609)

La Rue (5748840)

Kupiec (5500920)

10. Any response to this action should be mailed to:

Serial Number: 08825141

Page 8

Art Unit: 2741

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).

Art Unit: 2741


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick whose telephone number is (703)305-4089.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth, can be reached at (703)308-4825. The facsimile phone number for this group is (703)305-9508.

Any inquiry of a general nature or relating to the status of this applications should be directed to the Group receptionist whose telephone number is (703)305-3900.

Michael N. Opsasnick

January 30, 1999


DAVID R. HUDSPETH
SUPERVISORY PATENT EXAMINER
GROUP 2700